

Federal Property Management Regulations

§ 101-44.903

(b) Controlled substances (as defined in § 101-42.001) and combat material (as defined in § 101-46.001-2).

[42 FR 56003, Oct. 20, 1977, as amended at 57 FR 39136, Aug. 28, 1992]

§ 101-44.701 Findings justifying donation to public bodies.

§ 101-44.701-1 General.

(a) Property shall not be donated to public bodies by an executive agency unless it is affirmatively found in writing by a duly authorized official of the agency either that:

(1) The property has no commercial value, or

(2) The estimated cost of its continued care and handling would exceed the estimated proceeds from its sale.

(b) Findings shall not be made by any official directly accountable for the property covered thereby.

§ 101-44.701-2 Reviewing authority.

When a line item of the property to be disposed of under this subpart 101-44.7 by an executive agency at any one location at any one time had an original cost (estimated if not known) of more than \$1,000, findings made under § 101-44.701-1 shall be approved by a reviewing authority before any disposal.

§ 101-44.702 Donations to public bodies.

§ 101-44.702-1 Authority to donate.

Any executive agency may donate property to public bodies in accordance with § 101-44.701-1.

§ 101-44.702-2 Disposal costs.

Any public body receiving property from an executive agency pursuant to this subpart shall pay the disposal costs incident to the donation such as packing, preparation for shipment, demilitarization, loading, and transportation to the donee.

§ 101-44.702-3 Hazardous materials.

When hazardous materials as defined in part 101-42 are donated to a public body in accordance with this subpart, the head of the agency or designee authorized to make the donation shall be responsible for the safeguards, notifications, and certifications required by

part 101-42, and compliance with all other requirements therein.

[57 FR 39136, Aug. 28, 1992]

Subpart 101-44.8 [Reserved]

Subpart 101-44.9—Miscellaneous Statutes

§ 101-44.900 Scope of subpart.

Property disposed of under the following statutes is first subject to the requirements of subparts 101-44.2, 101-44.4, and 101-44.5. Disposals under these statutes do not require the approval of the Administrator of General Services.

§ 101-44.901 Condemned or obsolete material.

Pursuant to 10 U.S.C. 2572, the Secretary of a military department or the Secretary of the Treasury (and the Secretary of Transportation with regard to the functions of the Coast Guard transferred to him under Pub. L. 89-670, approved October 15, 1966) may lend or give, without expense to the United States, books, manuscripts, works of art, drawings, plans, models, and condemned or obsolete combat material that are not needed by that department to recipients specified in 10 U.S.C. 2572. However, records of the Government as defined in 44 U.S.C. 3306 shall not be disposed of under this § 101-44.901.

§ 101-44.902 Obsolete, condemned, or captured vessels.

Pursuant to 10 U.S.C. 7308, the Secretary of the Navy may transfer by gift or otherwise, on terms prescribed by him and set forth in 10 U.S.C. 7308 (b) and (c), any obsolete or condemned vessel of the Navy or any captured vessel in the possession of the Department of the Navy to recipients specified in 10 U.S.C. 7308.

§ 101-44.903 Obsolete naval material.

Pursuant to 10 U.S.C. 7541, the Secretary of the Navy may give obsolete material not needed for naval purposes and may sell other material that may be spared at a price representing its fair value to the Boy Scouts of America for the sea scouts, the Naval Sea Cadet Corps for the sea cadets, and the